

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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WELCOME HOTEL GROUP LLC and  
EDISON HOLDING NJ LLC,

Civil Action No.: 3:20-cv-6151  
(FLW) (TJB)

Plaintiffs,

**Motion Day: December 21, 2020**

against-

LEXINGTON INSURANCE COMPANY,  
CERTAIN UNDERWRITERS AT LLOYD'S  
OF LONDON AND ASPEN SPECIALTY  
INSURANCE COMPANY,

Defendants.

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X

**NOTICE OF MOTION FOR SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that on **Monday, December 21, 2020**, at 9 o'clock in the forenoon or as soon thereafter as counsel may be heard, Defendants, LEXINGTON INSURANCE COMPANY, CERTAIN UNDERWRITERS AT LLOYD'S OF LONDON AND ASPEN SPECIALTY INSURANCE COMPANY, through their undersigned counsel, shall move the within Court, at the United States District Court for the District of New Jersey, Trenton Vicinage, Clarkson S. Fischer Building & U.S. Courthouse, 402 East State Street, Room 2020, Trenton, New Jersey 08608, in accordance with this Court's Local Rules, for an Order

pursuant to Federal Rule of Civil Procedure 56 granting summary judgment and dismissing Plaintiffs' Complaint with prejudice.

**PLEASE TAKE FURTHER NOTICE** that Defendants, LEXINGTON INSURANCE COMPANY, CERTAIN UNDERWRITERS AT LLOYD'S OF LONDON AND ASPEN SPECIALTY INSURANCE COMPANY, shall rely upon the Statement of Undisputed Material Facts pursuant to Local Civil Rule 56.1(a), the November 25, 2020 Declaration of Adam P. Stark, Esq., and all exhibits annexed thereto, and the accompanying Memorandum of Law in support of the within Motion.

A proposed form of Order is annexed hereto.

Pursuant to the Order of The Honorable Tonianne J. Bongiovanni, U.S.D.J., at the pre-motion conference held on November 4, 2020, Plaintiffs' opposition papers are due December 7, 2020.

The undersigned hereby respectfully requests oral argument at this time.

Dated: November 25, 2020

Respectfully Submitted,

FLEISCHNER POTASH LLP

/s/ Adam P. Stark

Adam P. Stark, Esq.

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LEXINGTON INSURANCE COMPANY,

CERTAIN UNDERWRITERS AT

LLOYD'S OF

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INSURANCE COMPANY

Our File No.: 104-21381L